

### **Title 3 §559.4. Louisiana Aquaculture Coordinating Council; creation; organization**

A. The Louisiana Aquaculture Coordinating Council is hereby created and shall be within the department. The council shall be domiciled in Baton Rouge, Louisiana.

B. The council shall consist of members appointed by the commissioner, and confirmed by the Senate, as follows:

- (1) One member shall be a fishery biologist nominated by the Louisiana State University AgCenter.
- (2) One member shall be a fishery biologist nominated by the Louisiana Department of Wildlife and Fisheries.
- (3) One member shall be an aquatic biologist nominated by the University of Louisiana System.
- (4) One member shall be an active aquatic producer appointed from a list of three persons nominated by the Louisiana Farm Bureau.
- (5) One member shall be an active aquatic producer appointed from a list of three persons nominated by the Louisiana Catfish Promotion and Research Board.
- (6) One member shall be an active aquatic producer appointed from a list of three persons nominated by the Louisiana Catfish Farmers Association.
- (7) One member shall be an active aquatic producer appointed from a list of three persons nominated by the secretary of the Department of Wildlife and Fisheries.
- (8) One member shall be a Louisiana vocational agriscience teacher appointed from a list of three persons nominated by the Louisiana Vocational Agriscience Teachers' Association.
- (9) One member shall be a consumer appointed from the public at large.
- (10) One member shall be appointed from the Department of Economic Development.
- (11) One member shall be an active game fish grower appointed from a list of three persons nominated by the Louisiana Game Fish Grower's Association.
- (12) One member shall be an active member of the Louisiana Bass Anglers and Sportsmen Society appointed from a list of three persons nominated by that organization.
- (13) One member shall be an active member of the Coastal Conservation Association of Louisiana appointed from a list of three persons nominated by that organization.
- (14) One member shall be an active aquatic producer appointed from a list of three persons nominated by the Louisiana Crawfish Producers Association.
- (15) One member shall be appointed from a list of three persons nominated by the Southern University Agricultural Center.

### **§559.6. Powers**

A. The council shall have the following powers and responsibilities:

- (1) To develop and advise on the implementation of a regulatory framework for the orderly development and maintenance of a modern, sustainable aquacultural segment of Louisiana's agriculture industry and to promote aquaculture and aquaculture products.
- (2) To determine and recommend to the commissioner and the Wildlife and Fisheries Commission, based on a scientific risk assessment, which species of aquatic livestock are suitable for aquacultural production in Louisiana.
- (3) To recommend to the commissioner criteria for requiring licenses and permits and for granting or denying licenses and permits issued pursuant to this Part.
- (4) To hold hearings on alleged violations of the provisions of this Part or of the rules and regulations adopted pursuant to this Part.
- (5) To advise the commissioner on the civil penalties to be imposed or the injunctive or other civil relief to be sought for violations of the provisions of this Part or of the rules and regulations adopted pursuant to this Part.
- (6) To perform such other advisory functions as the commissioner may assign to the council.

B. The commissioner shall have the following powers:

- (1) Adopt rules and regulations as are necessary to implement the provisions of this Part, including regulations establishing the criteria for granting or denying licenses and permits, based upon recommendations made by the council. All rules and regulations shall be adopted in accordance with the provisions of this Part and promulgated in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.
- (2) Administer and enforce the provisions of this Part and the rules and regulations adopted pursuant to this Part.
- (3) Collect, administer, and disburse the proceeds of all fees, interest, penalties, and other monies collected pursuant to this Part.
- (4) Issue licenses and permits to persons engaged in aquacultural activities in accordance with this Part.
- (5) Conduct inspections and investigations in accordance with the provisions of this Part and any rules and regulations adopted pursuant to the provisions of this Part.
- (6) Seek and obtain injunctive or other civil relief to restrain and prevent violations of this Part, rules and regulations adopted pursuant to this Part, or orders and rulings issued pursuant to this Part.
- (7) Institute civil proceedings to enforce his orders or rulings, collect any fees, fines, penalties, or costs due under this Part or to otherwise enforce the provisions of this Part or rules and regulations adopted pursuant to this Part.
- (8) Issue a stop order to prevent a violation or further violation of this Part or of any rule or regulation adopted pursuant to this Part.

C. Any suit filed pursuant to this Part may be filed in East Baton Rouge Parish or in any parish of proper venue.

*Added by Acts 2004, No. 865, §1, eff. July 12, 2004.*